

30th GENERAL DISTRICT COURT COVID-19 PRECAUTIONS

TO: ALL PARTIES APPEARING IN THE SCOTT COUNTY GENERAL DISTRICT COURT

DATE: MAY 14, 2020

FROM: JUDGE SHAWN L. HINES

RE: COVID-19 PROCEDURES AND PRECAUTIONS

In response to the Supreme Court of Virginia's May 6, 2020 Order extending the Period of Judicial Emergency in the Commonwealth, the Scott County General District Court is announcing the following policies to increase the in-person access to the court beginning May 18, 2020.

- ▶ If parties, necessary witnesses or attorneys are **ill or not feeling well**, please seek a continuance of your case **BEFORE** coming to court.
- ▶ In light of the COVID-19 Pandemic, all reasonable requests for continuance will be granted by the Court during the Period of Judicial Emergency.
- ▶ Only parties and witnesses will be permitted into the courtroom until further notice.
- ▶ The Court is enforcing physical distancing guidelines for those present within the courtroom and aims to limit the total number of individuals in the courtroom at any one point.
- ▶ If possible, attorneys are urged to meet with clients/defendants/witnesses by telephone or video-chat to eliminate individuals from coming to court.
- ▶ Parties are strongly encouraged to work together to present stipulations of facts if that will eliminate the need for some person(s) attendance in court.
- ▶ While the physical distancing guidelines are in place, video and telephone hearings will remain the preferred method of hearing cases. If a Defendant is not in jail, the Court is open to the use of Zoom, WebEx, FaceTime, Google

Chat, and any other method of video conferencing you may prefer. The Court has had great success with attorneys and clients calling in remotely.

- ▶ All bond hearings and arraignments for inmates who are incarcerated will continue to be held by video. If a bond can be agreed to and you can eliminate the jail's need to present that person in the video room, please notify the Court prior to your bond hearing time so the jail can maintain its containment protocols.
- ▶ Face coverings are strongly encouraged in the General District Court.
- ▶ Electronic filings are encouraged. Please do so by email as faxes are not always received in the Clerk's Office.
- ▶ Individuals should not arrive too early for their scheduled hearing. They will not be permitted to enter the courtroom before the time set for their matter.
- ▶ Requests for driving school should be made by telephone or email with the clerk's office. Requests will be presented to the judge for consideration without requiring an initial appearance by the individual charged.
- ▶ No individual will pay their fines or costs on the day of their hearing. Instead, the clerk will provide them a form advising them of their payment options with costs to be paid in full or payment arrangements made within 40 days.

Per ORDER of the Supreme Court, access to the Scott County General District Court will be DENIED if an individual:

- i. Traveled internationally since January 2020;
- ii. Has been directed to quarantine, isolate, or self-monitor;
- iii. Has been diagnosed with, or have had contact with anyone who has been diagnosed with, COVID-19;
- iv. Has experienced a fever, cough, or shortness of breath; or

- v. Has resided with or been in close contact with any person in the above-mentioned categories.

The Court's security personnel shall direct any such individuals to contact the Clerk's Office by telephone or other remote means to inform the clerk of their business before the court so they may receive further instruction regarding alternate arrangements for court access. Please be mindful that on heavy days it is not uncommon for the Clerks to receive hundreds of phone calls.

Regarding Specific Scott County General District Court Dockets, Cases will proceed as follows:

Non-Custody Criminal Arraignments

- ▶ Arraignments will take place in-person beginning at 8:30 am each Tuesday, Thursday and Friday (as necessary). Only the person to be arraigned is permitted into the courtroom. Exceptions made upon request for individuals needing assistance. Arraignments may be set by block scheduling when necessary to meet physical distancing guidelines.

Protective Orders

- ▶ Preliminary Protective Orders will be heard by affidavit.
- ▶ Final Protective Orders will be heard in person as normal subject to limits on people present in the courtroom exercising physical distancing.

Virginia State Trooper Cases – Each Tuesday Morning

- ▶ During the Period of Judicial Emergency, two trooper sessions will be set each Tuesday morning. One beginning at 9:00 am, the second beginning at 10:30 am. One trooper will be set per session.
- ▶ Inmate cases will proceed as normal.
- ▶ Other cases, with attorneys involved, will be scheduled a maximum of 10 defendants each session to allow for proper spacing in the courtroom. The sessions will not overlap and are not interchangeable. Attorneys will need to contact the Clerk to request cases be added to the docket, otherwise

those cases will automatically be continued to the trooper's next court date. Traffic cases without attorneys will not be heard until after the end of the Period of Judicial Emergency.

- ▶ The Commonwealth's Attorney's Office and defense bar should identify those cases with priority for placement on the court's limited docket.
- ▶ Cases requiring a preliminary hearing or lengthy trial may require a special setting on an available Friday in order to maximize the number of cases we can resolve during a given docket.

Scott County Deputy, Investigators, Animal Control Cases – Each Thursday Morning

- ▶ During the Period of Judicial Emergency, two County sessions will be set per Thursday morning: One session at 9:00 am; a second session at 10:30 am.
- ▶ Inmate cases will proceed as normal.
- ▶ Other cases, with attorneys involved or waivers of attorney, will be scheduled at a maximum of 10 defendants each session to allow proper spacing in the courtroom. The sessions will not overlap and are not interchangeable. Attorneys will need to contact the Clerk's Office to request cases be added to the docket, otherwise they will be continued to the following officer's next date. Traffic cases without attorneys will not be heard until after the end of the Period of Judicial Emergency.
- ▶ The Commonwealth's Attorney's Office and defense bar should identify those cases with priority for placement on the court's limited docket.
- ▶ Cases requiring a preliminary hearing or lengthy trial may require a special setting on an available Friday in order to maximize the number of cases we can resolve during a given docket.

Town Cases: Weber City (Second Tuesday at 1:00 P.M.); Gate City (Fourth Tuesday at 1:00 P.M.)

- ▶ Inmate cases will proceed as normal.
- ▶ Other cases, with attorneys involved or waivers of attorney, will be scheduled at a maximum of 10 defendants per afternoon to allow proper

spacing in the courtroom. Attorneys will need to contact the Clerk's Office to request cases be added to the docket, otherwise they will be continued to the following Town day. Traffic cases without attorneys will not be heard until after the end of the Period of Judicial Emergency.

- ▶ The Commonwealth's Attorney's Office and defense bar should identify those cases with priority for placement on the court's limited docket.
- ▶ If necessary, the Court will permit a second session each town court date beginning at 2:00 pm in order to accommodate the needs of the docket.
- ▶ Cases requiring a preliminary hearing or lengthy trial may require a special setting on an available Friday in order to maximize the number of cases we can resolve during a given docket.

People versus People Criminal Cases – Each Thursday Afternoon at 1:00 P.M.

- ▶ Inmate cases will proceed as normal.
- ▶ All other cases will be scheduled at a maximum of 10 cases per afternoon to allow for proper spacing in the courtroom.

CIVIL DAYS – First and Third Tuesdays at 1:00 PM

- ▶ Civil days will proceed as normal subject to the physical distancing rules.

Bond Hearings

- ▶ During the Period of Judicial Emergency, bond hearings must be set in advance at a specific time subject to availability on the court's docket.

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The success of this Reopening Plan will depend in large part on the cooperation and communication among the prosecutor's office, defense counsel and clerk's office in identifying priority cases that are ready to proceed so that those cases may be set on the court's docket. The clerk should set the permitted number of cases each day by fairly distributing the docket space among defense attorneys when possible. Where the parties identify a "light" docket on the court's calendar, special arrangements may be made to place any priority case on that court date by seeking advance permission from the Court.